

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CRIMINAL CASE NO. 1:20-cr-00055-MR-DCK-2**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KEVIN JACOB HOLLAND,

Defendant.

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ORDER

THIS MATTER is before the Court *sua sponte*.

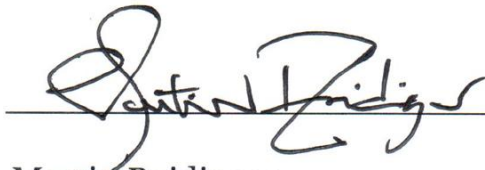
This matter is currently scheduled for sentencing on December 10, 2020. The Defendant has a motion to vacate pursuant to 28 U.S.C. § 2255 pending, the outcome of which the Defendant contends will have a substantive effect on the sentence imposed in this case. The Defendant's motion to vacate, however, is currently being held in abeyance pending the Supreme Court's decision in Borden v. United States, No. 19-5410. [Civil Case No. 1:16-cv-00121-MR, Doc. 23]. It also appears that the outcome of the motion to vacate will quite possibly necessitate the preparation and filing of a supplement to the Presentence Investigation Report before the sentencing can be conducted. In light of these circumstances, the Court

concludes that the Defendant's sentencing should be continued until such time as the Court can resolve the motion to vacate.

IT IS, THEREFORE, ORDERED that the sentencing hearing currently scheduled for December 10, 2020, is hereby **CONTINUED** and will be reset at a later time.

IT IS SO ORDERED.

Signed: December 3, 2020

A handwritten signature in black ink, appearing to read "Martin Reidinger", is written over a horizontal line.

Martin Reidinger
Chief United States District Judge

